

California Horse Racing Board

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**REPORT OF THE BOARD OF STEWARDS****Del Mar Summer Meet**

Del Mar Thoroughbred Club

TO THE CALIFORNIA HORSE RACING BOARD

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John McDonough, Chief Counsel
Darrel McHargue, Chief Steward

Report for the Week of Tuesday, August 20, 2019 Through Sunday, August 25, 2019

TUESDAY

8/20/19¹

DARK DAY DUTIES

Steward Kim Sawyer was on duty for Wednesday's scratches.

WEDNESDAY

8/21/19¹

SADLER RULING (Case # 19LT0007)**DMTD RULING #062**

Trainer JOHN SADLER, who was scheduled to start NOBLE PURSUIT in the fourth race on July 5, 2019 at Los Alamitos Race Course is fined SEVEN HUNDRED and FIFTY DOLLARS (\$750.00)* pursuant to California Horse Racing Board Rule #1629 (Penalty for Late Declaration) for violation of California Horse Racing Board Rule #1865 (e)(2) (Altering of Sex of Horse-True Sex not Reported) necessitating a late declaration.

The above ruling was issued after Mr. Sadler contacted the Stewards by phone and pleaded no contest to the allegations contained in the complaint.

8/21/19²

FILM REVIEW

Jockeys Flavien Prat and Ruben Fuentes appeared to review the sixth race from last Sunday. A Stewards' inquiry into contact between their respective mounts resulted in no change in the results as the majority felt the placings were not affected.

Tapes showed that Prat, aboard the sixth placed finisher #3 Jetovator, drifted down shortly after the start and made slight contact with Fuentes' mount, #1 Spendaholic (4th) before leveling off. Fuentes then allowed Spendaholic to drift out, without restraint, making significant contact with Jetovator.

The Stewards did not feel that Prat's involvement deserved a penalty. The Stewards, by majority vote, felt Fuentes failed to make an effort to keep his mount from bearing out and making contact with Jetovator. Steward Sawyer felt that Fuentes steered his horse to the outside and voted for a more severe penalty. The following ruling was issued:

DMTD RULING #063

Jockey RUBEN FUENTES, who rode SPENDAHOLIC in the sixth race at Del Mar Race Track on August 18, 2019 is suspended for FIVE (5) racing days (August 28, 29, 30, 31 and September 1, 2019), for failure to maintain a straight course entering the far turn and causing interference, a violation of California Horse Racing Board rule #1699 (c) & (e) (Riding Rules - Careless Riding - Second offense in sixty (60) days). The term of this suspension shall not prohibit participation in designated races in California.

8/21/19³

EARLY DECLARATIONS AND REFUNDS

1st Race	#1 Nina En Fuego, tr. Tim Yakteen Vet, Injured, Dr. Farmer #8 Lakaya, tr. R.B. Hess Vet, sick, Dr. Farmer. Refund: \$10,819.66
2nd Race	#4 Atina, tr. Andy Mathis Vet, sick, Dr. Farmer. Refund: \$1,626.96
3rd Race	#9 Golden Melody, tr. Craig Lewis Stewards - AE #10 Establish Justice, tr. Mike Puype Stewards - AE #11 Éclair, tr. Bob Baffert Stewards AE #12 Greg's Diva, tr. Phillip D'Amato Stewards - AE Refund: \$2,823.19
7th Race	#7 Oil Can Knight, tr. Doug O'Neill Vet, injured, Dr. Grant #10 No Bang No Boom, tr. Wesley Ward Stewards - AE Refund: \$863.80
8th Race	#8 Bean and the Bug, tr. Keith Desormeaux Vet, sick, Dr. Stead Refund: \$48,634.33

8/21/19⁴

STEWARDS' INQUIRY FIRST RACE NO CHANGE

The Stewards posted the inquiry sign to evaluate an incident in mid-stretch involving the winner, #4 Warren's Showtime ridden by Jorge Velez and the place horse #6 Sassyserb with Abel Cedillo in the saddle. The two horses made contact near the 1/8. After a thorough review the Stewards affirmed the original order of finish.

Tapes showed that Velez steered his mount out from behind traffic in search of racing room and in doing so made contact with Sassyserb who also stepped in as contact was made. While contact did occur the Stewards determined that Sassyserb was not cost a placing. Jockey Velez will meet with the Stewards in the morning.

8/21/19⁵

STEWARDS INQUIRY SEVENTH RACE NO CHANGE

The Stewards lit the inquiry lamp to determine why #3 Prodigal Son (4th, Mario Gutierrez) made sustained contact with the inside rail at the half mile pole of this five furlong sprint on the turf course. After reviewing the tapes and talking to Gutierrez the Stewards took no action on the placings. Tapes showed that no other horses contributed to the incident and Gutierrez surmised that the horse stepped in and rode the rail when he attempted to get Prodigal Son to change leads. The rail performed as designed and "gave ground" to the horse while still maintaining its integrity.

8/21/19⁶

LATE SCRATCH EIGHTH RACE REFUND

#4 Howbeit, trained by Luis Mendez, was scratched by the Stewards during the warm-up after Track Veterinarian Dana Stead D.V.M. reported the horse failed to warm up properly. On Vet's list. The refund for the race was \$48,634.33.

8/21/19⁷

DAILY ATTENDANCE & HANDLE

On track	6,749	\$876,915.73
SCOTWinc	3,106	\$1,649,116.28
Out of state + ADW	N/A	\$5,177,882.85
Total	9,855	\$7,703,914.86

THURSDAY

8/22/19¹

FILM REVIEW

Apprentice Jockey Jorge Velez and his agent Nelson Arroyo appeared to review yesterday's first race where Velez's mount was the subject of a Stewards' Inquiry. It was pointed out while watching the replays that simultaneous to Velez shifting out for racing room Cedillo's mount, Sassyserb, racing to the outside, stepped in to contribute to the contact. The ratio for responsibility was generally agreed upon to be 70%/30% with Velez mostly at fault. It was also agreed upon by the Stewards that since Velez was not solely responsible for the incident he would be given the benefit of the doubt and no penalty would be imposed.

8/22/19²

STEWARDS' INQUIRY ACCIDENT SECOND RACE NO CHANGE

The Stewards posted the inquiry sign to determine the reason why jockey Flavien Prat became separated from his mount, #4 Unicorn, as the field left the starting gate. After a thorough review the Stewards found that Unicorn stumbled badly shortly after the stall doors opened causing Prat to lose his balance and then, lose contact with his horse. No other horses were involved in the incident. Unicorn continued on with the field, sometimes trailing, sometimes leading but never interfering with the rest of the horses. Jockey Prat suffered no ill effects from the incident and after being checked by the medical staff was cleared to ride the balance of the card.

8/22/19³

DAILY ATTENDANCE & HANDLE

On track	5,766	\$772,892.96
SCOTWinc	3,421	\$1,846,136.86
Out of state + ADW	N/A	\$4,136,796.25
Total	9,187	\$6,755,826.07

FRIDAY

8/23/19¹

NAKHLEH RULING (Case #19SA0193)

DMTD RULING #064

Owner MIKE NAKHLEH, having failed to appear before the Board of Stewards at Del Mar Race Track on August 22, 2019 to answer a complaint regarding case #19SA0193, alleging violation of California Horse Racing Board Rule #1876 (Financial Responsibility - \$386.12 to Southern California Equine Foundation Inc) is suspended pursuant to California Horse Racing Board rule #1547 (Failure to Appear). Suspension to Commence on August 30, 2019.

During the term of Suspension, all Licenses and License privileges of Mike Nakhleh are suspended and Pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine). Subject is denied access to all premises in this jurisdiction.

The above ruling was released after Mr. Nakhleh failed to make an appearance at a hearing scheduled to address a financial complaint filed by SoCal Equine Foundation.

8/23/19²

EARLY DECLARATIONS

2nd Race #3 Curryforthree Bang, tr. Joe Herrick Vet, sick, Dr. Farmer
#6 Etching, tr. BDA Cecil Vet, Sick, Dr. Grant
#9 Cat's Desire, tr. Nestor Capitaine Vet, Injured, Dr. Grant
Refund: \$1,248.40

3rd Race #12 Restless Rambler, tr. Mark Glatt Stewards AE
#13 Conquest Tsunami, tr. Peter Miller Stewards AE
Refund: \$1,076.78

4th Race #8 Shanghai Truffles, tr. Patrick Gallagher Vet, sick, Dr. Farmer
Refund: \$297.16

6th Race #5 Just a Smidge, tr. Bob Baffert Vet, sick, Dr. Farmer. Refund: \$537.00

7th Race #2 Ready for a Fight, tr. Steve Miyadi Vet, unsound, Dr. Farmer
Refund: \$375.00

8/23/19³

VOIDED CLAIM

A claim deposited by trainer Jeff Metz for the horse Eric the Trojan in today's third race was voided by the Stewards after Dr. Farmer reported that the horse was off on the left front and would be placed on the Vet's list. Eric the Trojan was returned to the care and custody of Jack Carava.

8/23/19⁴

DAILY ATTENDANCE & HANDLE

On track	10,446	\$1,105,677.83
SCOTWinc	5,010	\$2,910,180.90
Out of state + ADW	N/A	\$6,137,769.34
Total	15,456	\$10,153,628.0

SATURDAY

8/24/19¹

O'NEILL RULING

DMTD RULING #065

Trainer DOUG O'NEILL, who was started the horse, STRONGCONSTITUTION in the seventh race at Del Mar Race Track on August 23, 2019 is fined TWO HUNDRED DOLLARS (\$200.00)* for violation of California Horse Racing Board Rule #1853 (Examination Required – Improperly Shod).

The above ruling was issued after O'Neill was contacted by phone and informed of the penalty. He sent Strongconstitution to the Receiving Barn yesterday with toe grabs on for a race on the turf course. Toe grabs on the turf course are prohibited by house rule. Horseshoe Inspector Victor Tovar was able to grind the shoes down in the Receiving Barn and the horse was allowed to compete. As a footnote Stongconstitution won the race.

8/24/19²

FILM REVIEW

Jockeys Aaron Gryder and Flavien Prat appeared to review yesterday's fifth race where the two contributed to an incident near the ½ of this 1 1/16 mile event. Gryder, aboard #9 Y Not Sizzle shifted out from behind traffic and forced #3 Si Mamacita (Alonso Quinonez), racing on his outside, to go out with him. The action by Gryder caused Quinonez to check off the heels of #5 Too Hot For Curlin (Flavien Prat). While Prat's mount did step in slightly the Stewards put the onus on Gryder for initiating the incident. By majority vote (Sawyer dissenting) the Stewards issued the following ruling:

DMTD RULING #066

Jockey AARON GRYDER, who rode Y NOT SIZZLE in the fifth race at Del Mar Race Track on August 23, 2019 is suspended for THREE (3) racing days (August 31, September 1 & 2, 2019), for altering course without sufficient clearance down the backstretch and causing interference. This constitutes a violation of California Horse Racing Board rule #1699 (Riding Rules-Careless Riding). Pursuant to California Horse Racing Board rule #1766 (Designated Races), the term of suspension shall not prohibit participation in designated races.

Jockey Brice Blanc also appeared to review the fifth race with respect to his crop usage. After viewing the tapes it was apparent that Blanc exceeded the allowable limit and the following ruling was issued:

DMTD RULING #067

Jockey BRICE BLANC is fined ONE HUNDRED DOLLARS (\$100.00)* for violation of California Horse Racing Board rule #1688 (b)(6) (Use of Riding Crop – more than three times in succession without giving the horse a chance to respond) during the fifth race at Del Mar Race Track on August 23, 2019.

8/24/19³

EARLY DECLARATIONS

2nd Race #5 Bobby's Day, tr. Ron Ellis Vet, unsound, Dr. Grande
Refund: \$1,045.98
4th Race #6 Mica Bay, tr. Phillip D'Amato Vet, injured, Dr. Grant
Refund: \$1,145.30
5th Race #4 Candy Swirls, tr. Bill Spawr Vet, injured, Dr. Grande
#7 Peach Time, tr. Molly Pearson Stewards, Governor's Panel
Refund: \$868.00
7th Race #11 Pacific Crossing, tr. Matt Chew, Stewards, AE Refund: \$813.10
9th Race #1 Lieutenant Dan, tr Steve Miyadi, Stewards, Stakes Race
Refund: \$1,603.30

8/24/19⁴

VOIDED CLAIMS

Two claims from the fifth race were voided after Official Veterinarian Will Farmer notified the Stewards that the horses were placed on the Vet's list. #2 Moonless Sky was returned to Eddie Truman's barn after the mare bled. Trainer Vann Belvoir retained possession of #12 Wind Tartare when the mare showed signs of lameness in the left front.

8/24/19⁵

DAILY ATTENDANCE & HANDLE

On track	12,530	\$2,058,090.65
SCOTWinc	8,609	\$5,615,682.43
Out of state + ADW	N/A	\$8,775,553.77
Total	21,139	\$16,449,326.8

SUNDAY
8/25/19¹

BUSCAIL RULING

DMTD RULING #068

Exercise Rider FREDERIC BUSCAIL is fined FIFTY DOLLARS (\$50.00)* for violation of California Horse Racing Board rule #1437 (Conditions of a Race Meeting – galloping on rail after workout) on August 22, 2019 at Del Mar Race Track.

The above ruling was issued after Mr. Buscail appeared and acknowledged that he was galloping on the rail. He explained he had just finished working a tough horse and was trying to ease him out when he was confronted by the outriders. His flippant response to them, while not abusive, did not help his cause.

8/25/19²

EARLY DECLARATIONS

2nd Race #6 Divine Dharma, tr. Mike Puhich Vet, sick, Dr. Farmer
Refund: \$11,695.75

3rd Race #2 Gliding By, tr. Richard Baltas Vet, Injured, Dr. Farmer
Refund: \$1,514.75

4th Race #12 Baltimore Beecho, tr Jorge Periban Stewards, AE
#13 Hot Socks tr. Steve Miyadi Stewards, AE
Refund: \$1,940.35

5th Race #12 The Longest Night, tr Phillip D'Amato Stewards AE
#13 Lord Adara, tr R B Hess Stewards, AE
#14 Truck Salesman, tr Doug O'Neill Stewards, AE
Refund: \$3,861.62

6th Race #2 Hergame, tr Leonard Powell Vet, Sick, Dr. Farmer
#3 Message, tr Bob Baffert Vet, Sick, Dr. Stead
Refund: \$3,861.84

7th Race #12 Restless Rambler, tr Mark Glatt Stewards, AE
Refund: \$1,204.29

8th Race #2 Seven Scents, tr Craig Lewis Stewards, Stakes Race
#4 Stubbins, tr Doug O'Neill Stewards, Stakes Race
Refund: \$732.10

9th Race #13 Flying Blue, tr E G Harty Stewards, AE
#14 Zucchera, tr. Richard Baltas Stewards, AE
Refund: \$1,199.80

8/25/19³

LATE SCRATCH SECOND RACE REFUND

#1 Shanghai Barbie, trained by Neil Drysdale, was scratched by the Stewards on the recommendation of Dr. Stead and Steward Baker who both reported from the paddock that the horse was fractious and was unable to be saddled. Neither trainer Drysdale nor the valet nor two valets nor any combination of the above could get a saddle on Shanghai Barbie. The safety of all concerned was put at risk so the scratch was activated. The refund for the race totaled, \$11,695.75.

8/25/19⁴

DAILY ATTENDANCE & HANDLE

On track	9024	\$1,291,219.05
SCOTWinc	6,827	\$3,716,611.50
Out of state + ADW	N/A	\$7,874,240.31
Total	15,851	\$12,882,070.8

ATTENDANCE REPORT – The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN REPORT – WEEK OF 8/19/19 TO 8/25/19

Horses on Vet List 24
Horses off Vet List 21
Shock Wave Therapy 17
Deceased 0
Medication 0
Claims Voided 3

SUMMARY

	Wed 8/21	Thurs 8/22	Fri 8/23	Sat 8/24	Sun 8/25	Week	Meet
Accidents	0	0	0	0	0	0	3
Cal-Bred Races	1	2	1	1	1	6	40
Claims	6	5	4	4	3	22	119
Disqualification	0	0	0	0	0	0	8
Inquiries	2	1	0	0	0	3	24
Refunds	7	5	7	5	9	33	173
Rulings	2	0	1	3	1	7	68
Voided Claims	0	0	1	2	0	3	29

Respectfully submitted,

John B. Herbuveaux, Steward

Grant Baker, Steward

Kim Sawyer, Steward

Luis Jauregui, Safety Steward